

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Ronald W Hallas Jr.
Kristen M. Hallas
Debtor(s)

Bankruptcy Case No.: 16-22388-GLT
Issued Per 7/27/2017 Proceeding
Chapter: 13
Docket No.: 45 - 6
Concil. Conf.: July 27, 2017 at 09:00 AM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated June 29, 2016 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,614.00 as of August, 2017. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Jul. 27, 2017 at 09:00 AM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Claim No. 14 of First Niagara, Claim No. 1 of Elizabeth Forward SD and Claim No. 13 of Allegheny County .
- ☒ H. Additional Terms: The Balance of the no-look fee due under the plan is \$3,500.00.

Claim No. 3 of Capital One Auto shall govern as to amount, paid in full at modified plan terms at a payment to be computed by Trustee

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: July 28, 2017

cc: All Parties in Interest to be served by Clerk in seven (7) days

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 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 Ronald W Hallas, Jr.
 Kristen M. Hallas
 Debtors

Case No. 16-22388-GLT
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: dbas
 Form ID: 149

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 Total Noticed: 32

Date Rcvd: Jul 28, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 30, 2017.

db/jdb
 cr +Ronald W Hallas, Jr., Kristen M. Hallas, 900 Pineview Drive, Elizabeth, PA 15037-9418
 +KeyBank N.A. S/B/M First Niagara, KeyBank N.A., 4910 Tiedeman Road,
 4910 Tiedeman Road, 4910, Brooklyn, Oh 44144-2338
 14252269 +Brendan K Petrick, Esquire, 104 Braemont Place, McKeesport, PA 15135-2108
 14252271 ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
 (address filed with court: Capital One, PO Box 85520, Richmond, VA 23285)
 14273963 Capital One NA, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 14252274 +Chase, P.O. Box 15325, Wilmington, DE 19886-5325
 14252273 +Chase, P.O. Box 15298, Wilmington, DE 19850-5298
 14252275 +Citi Bank, PO Box 6241, Sioux Falls, SD 57117-6241
 14252276 +Climatech, Inc., 200 Bilmar Drive, Pittsburgh, PA 15205-4601
 14279063 +County of Allegheny, c/o Goehring Rutter & Boehm, 437 Grant Street, 14th Floor,
 Pittsburgh, PA 15219-6101
 14252278 +Department of Education, FedLoan Servicing, P.O. Box 530210, Atlanta, GA 30353-0210
 14255046 +Elizabeth Forward School District, c/o Maiello Brungo & Maiello, LLP,
 100 Purity Road, Suite 3, Pittsburgh, PA 15235-4441
 14252283 +National City Card Services, 4661 East Main Street, Columbus, OH 43251-0001
 14302382 +PNC BANK N.A., P.O. BOX 94982, CLEVELAND, OH 44101-4982
 14252284 +The Recievable Manangement, 240 Emery Street, Bethlehem, PA 18015-1980
 14252285 +Us Dept of Education, P.O. Box 5609, Greenville, TX 75403-5609
 14278132 eCAST Settlement Corporation, PO Box 29262, New York NY 10087-9262

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: acg.acg.ebn@americaninfosource.com Jul 29 2017 01:08:06
 Capital One Auto Finance c/o Ascension Capital Gro, P.O. Box 201347,
 Arlington, TX 76006-1347
 cr E-mail/PDF: rmscedi@recoverycorp.com Jul 29 2017 01:07:58
 Recovery Management Systems Corporation, 25 S.E. Second Avenue, Suite 1120,
 Miami, FL 33131-1605
 14270212 E-mail/Text: ally@ebn.phinsolutions.com Jul 29 2017 01:10:17 Ally Bank, PO Box 130424,
 Roseville MN 55113-0004
 14272139 E-mail/Text: ally@ebn.phinsolutions.com Jul 29 2017 01:10:17 Ally Financial,
 PO Box 130424, Roseville MN 55113-0004
 14252268 E-mail/Text: bankruptcy@bbandt.com Jul 29 2017 01:10:25 BB&T, P.O. Box 1847,
 Wilson, NC 27894
 14252272 +E-mail/Text: bankruptcy@becompanies.com Jul 29 2017 01:10:59 CBE Group,
 1309 Technology Parkway, Cedar Falls, IA 50613-6976
 14256600 +E-mail/PDF: acg.acg.ebn@americaninfosource.com Jul 29 2017 01:07:48
 Capital One Auto Finance, c/o Ascension Capital Gr, P.O. Box 201347,
 Arlington, TX 76006-1347
 14252277 +E-mail/Text: svlainich@communitybank.tv Jul 29 2017 01:10:49 Community Bank, P.O. Box 357,
 100 North Market Street, Carmichaels, PA 15320-1290
 14295830 +E-mail/Text: fnb.bk@fnfg.com Jul 29 2017 01:10:59 FIRST NIAGARA BANK, N.A.,
 First Niagara Bank, PO Box 514, Lockport, NY 14095-0514
 14277312 E-mail/Text: fnb.bk@fnfg.com Jul 29 2017 01:10:59 First Niagara Bank, N.A.,
 6950 South Transit Road, PO Box 514, Lockport NY 14095-0514
 14252279 +E-mail/Text: fnb.bk@fnfg.com Jul 29 2017 01:10:59 First Niagra, P.O. Box 514,
 6950 S. Transit Road, Lockport, NY 14094-6384
 14252281 E-mail/Text: fnb.bk@fnfg.com Jul 29 2017 01:10:59 First Niagra Bank, N.A., P.O. Box 28,
 Buffalo, NY 14240-0028
 14252282 +E-mail/Text: bnckohls@becket-lee.com Jul 29 2017 01:10:21 Kohl's, P.O. Box 2983,
 Milwaukee, WI 53201-2983
 14255491 E-mail/Text: bnc-quantum@quantum3group.com Jul 29 2017 01:10:30
 Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788
 14257196 E-mail/PDF: rmscedi@recoverycorp.com Jul 29 2017 01:07:58
 Recovery Management Systems Corporation, 25 S.E. 2nd Avenue, Suite 1120,
 Miami, FL 33131-1605

TOTAL: 15

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr Allegheny County
 cr FIRST NIAGARA BANK, N.A.
 cr* +Elizabeth Forward School District, c/o Maiello Brungo & Maiello, LLP, 100 Purity Road,
 Suite 3, Pittsburgh, PA 15235-4441
 14252270* +Brendan K Petrick, Esquire, 104 Braemont Place, McKeesport, PA 15135-2108
 14252280* +First Niagra, P.O. Box 514, 6950 S. Transit Road, Lockport, NY 14094-6384

TOTALS: 2, * 3, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

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Total Noticed: 32

Date Rcvd: Jul 28, 2017

***** BYPASSED RECIPIENTS (continued) *****

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 30, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 28, 2017 at the address(es) listed below:

Dennis J. Spyra on behalf of Debtor Ronald W Hallas, Jr. attorneyspyra@dennisspyra.com,
deborah@dennisspyra.com/missdebrastone@msn.com
Dennis J. Spyra on behalf of Joint Debtor Kristen M. Hallas attorneyspyra@dennisspyra.com,
deborah@dennisspyra.com/missdebrastone@msn.com
James Warmbrodt on behalf of Creditor FIRST NIAGARA BANK, N.A. bkgroup@kmlawgroup.com
Jeffrey R. Hunt on behalf of Creditor Allegheny County jhunt@grblaw.com, cnoroski@grblaw.com
Jennifer L. Cerce on behalf of Creditor Elizabeth Forward School District jlc@mbm-law.net
Joshua I. Goldman on behalf of Creditor FIRST NIAGARA BANK, N.A. bkgroup@kmlawgroup.com
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 8